

The Pacific Commercial Advertiser

U. S. WEATHER BUREAU, JANUARY 8.—Last 24 hours' rainfall, .00.
Temperature, Max. 76; Min. 69. Weather, fair.

ESTABLISHED JULY 2, 1856

VOL. XLIII, NO. 7307.

HONOLULU, HAWAII TERRITORY, TUESDAY, JANUARY 9, 1906.

PRICE FIVE CENTS.

WHAT TAKES W. O. SMITH AWAY TODAY

**He Wishes to Have the Form of Bill
Right and to Collect
Data.**

At the meeting of the Washington delegation at 4 o'clock yesterday afternoon in the office of W. O. Smith, the latter, who is chairman, stated that he would leave today on the Sierra and go directly to Washington. The other members are to follow on the Mongolia leaving here January 19.

After the meeting W. O. Smith called on Governor Carter. Being seen later by an Advertiser reporter, Mr. Smith said:

"Two or three important questions were considered at the meeting of the delegation.

"It was decided that I should leave for Washington tomorrow. I shall go by way of New Orleans, thereby avoiding the cold of the more northern route.

"The purpose of my going ahead of the rest of the delegation is to make certain preparations for our appearance before the Committee on Territories. As the main body leaving here on the 19th would only arrive the day before that fixed for the hearing, which is February 1, the margin of time for preparation would be too narrow for the delegation.

"I want to confer with Delegate Kuhio on the form of the bill for allotting 75 per cent. of Federal revenues for twenty years to this Territory.

"Then there is considerable data that I wish to collect in Washington for the use of the delegation. Among other things I want statistics regarding territories and taxation, such as rates of taxation in other territories, what the government of other territories has cost, and so forth.

"Another matter attended to was the calling of Messrs. Loebenstein and Case, the delegates of Hawaii and Maui, to Honolulu for conference with the delegation.

"No, I hardly thing an outside secretary will be employed. Mr. Galt has been elected by his colleagues as secretary and treasurer of the delegation."

WAINIHA POWER LINE OPENS UP FINE SCENERY

**Engineer's Trail Leading From Lihue Road Into
the Mountains Develops Some Fine
Tourist Attractions.**

Kauai has many scenic attractions which are being opened to the public by the laying of the new electric line across the island for the Wainiha Power Co., and much is expected by the Garden Islanders in the way of tourists visiting that island as they would Hawaii and Maui.

Marston Campbell, who returned Sunday from an engineering trip to Kauai, says Kauai has scenery that can not be duplicated on any other island. The road from Lihue up through the mountains back of Kihuna crater and past the Waialeale falls takes the traveler through an ever-changing vista of beautiful scenes. Everything is a rich green, and the

trees and foliage are of extraordinary beauty.

"The roads are fine out of Lihue and are good for automobile," said Mr. Campbell at the Promotion Committee rooms yesterday. "The contractors are extending the road, for the benefit of their work, up into the mountains and a trail over which one can ride horseback is opening up entirely new scenery to the public. It seems to me it would be a good idea for some enterprising persons around Lihue to build a small house on the summit of the trail, where travelers could get sleeping accommodations at least."

"On this Lihue road and trail you pass innumerable waterfalls, and the ride gives one an idea of what Hawaiian mountain tropical vegetation really is." Secretary Wood of the Promotion Committee intends visiting Kauai next month.

CLAIMANT FOR THE DIAMOND BING

Some two years ago a nicely wrapped package came down to the Wilder dock from a local jeweler, containing an elegant jewel box in which reposed two diamond rings of the purest water. The box was duly delivered to the freight clerk of an outgoing island steamer and properly receipted for. The steamer sailed from the Likelike wharf.

Hardly had the boat left the dock and while she was still in the channel, the freight clerk found two of his packages missing. The jeweler's box was one of the two missing ones. The ship was searched high and low before the next port was reached, but not the slightest trace of the missing diamonds appeared. The freight clerk reported the loss to the steamship officials, who reported it to the shipper. The shipper demanded the value of the rings and got it. The steamship company took the price of the jewels out of the freight clerk's wages.

Continued search failed to reveal the whereabouts of the diamonds. Lately the harbor was dredged and the rapidly-revolving wheels of the ponderous

machine picked up, near the Likelike wharf, a jewel box. The jewel box failed to get through the pipes and out onto the newly-made land and was found by a dredger employee. On opening the box one elegant diamond ring appeared peacefully resting on what was left of its silken cushion.

The story of the find was published. The freight clerk had long since left the service of the boat that left the Likelike wharf so many months since, but he was in town and he read the story printed in the paper. He went to the jeweler. The jeweler said he could absolutely identify the rings that were lost. The ex-freight clerk next went to the police. The police sent to the dredger and the officer came back with the statement that they know nothing about it. However, the matter won't stop there, much as somebody down at the wharf wants to wear diamonds.

Deputy Attorney General Prosser leaves for Kona today in connection with trouble over the Holualoa school property. Mrs. Mary H. Atchley, representing Mrs. A. Davis, has taken possession of the school premises. Judge Matthewman returns to his court in the same steamer with Mr. Prosser, who immediately on arrival will sue out a writ of attachment on the property. Meantime school is closed. Mrs. Atchley refuses to treat with the school agent, M. F. Scott, and Sheriff Keolanui refuses to act.



HON. W. O. SMITH.

SOME FIGHT STILL LEFT GUNS AND MISSIONS

**Attorney General Defies The Rev. Kong Yin Tet
Private Fishery Claimants. and His Trip East.**

"We are going to fight them from first to last. You may say that we are going to stand on the Territory's strict legal rights."

Such was the salute of Attorney General Peters to the afternoon cablegram from Washington announcing the winning of their fishery right case by the trustees of the Bishop Estate in the United States Supreme Court.

Asked if there was any fighting ground left, considering that two separate test cases had gone against the Territory at Washington, Mr. Peters intimated that fishery cases were still pending in the Territorial Supreme Court, with all resources of defense for the Territory not yet exhausted. He also mildly deprecated the course of his predecessor in accepting pro forma decisions of the Territorial courts in fishery cases.

"In the end, if the Territory should lose throughout," Mr. Peters said, "it will be up to the United States to find ways and means of making all sea fisheries free to the public."

"For one thing, there is a long line of decisions that make it unlawful for any state government or municipality to condemn any property whatever for public uses unless the cash is in hand to pay the condemnation price immediately the property is taken."

"Without any surplus cash over and above current needs of government, how is the Territory going to condemn the private fishery rights as the Organic Act directs?"

Manager Hertsche of the Moana Hotel gave a dinner last evening for Managers Gray of the Young Hotel, Bews and Boyd of the Royal Hawaiian, St. Clair Bidgood of the Haleiwa and Mr. F. C. Smith.

"The evangelization of China may not be done at the point of a revolver." In this expressive way the Rev. Kong Yin Tet, pastor of St. Peter's Episcopal Chapel for Chinese, gives his opinion on a question which is pre-eminent in church work.

Rev. Kong Yin Tet returned last week from an extended visit to the United States, the first he ever made to the mainland, and he attended a number of Episcopal conferences and was everywhere received with great consideration. As a Chinese clergyman of the Episcopal church in full orders he naturally attracted much attention and was given every opportunity to speak before church gatherings.

"What impressed me most was the conference in the Chicago Auditorium of the Laymen's Forward Movement," said Rev. Mr. Kong. "There were eight bishops, fifty clergymen and 200 delegates present. They asked me to make an address. I spoke on the Christianization of China and of the work in Hawaii."

"Then I referred to the Lienchow massacre. I told them of the customs of the Chinese in these outlying provinces. I told them these people the day of the massacre were holding the ceremonies incident to the worshiping of their ancestors. On such occasions they fire cannons and perform their worship before images. A new member of the mission, not understanding fully what the natives were doing, rashly entered the place where the ceremonies were being held and threw down the images and protested against what he believed to be pagan rites. That, naturally, incensed the Chinese and the massacre resulted."

"I put before them this question: (Continued on Page 3.)

CARTER WITHDRAWS HIS SUPPORT FROM ROBINSON

**The Governor Cables His Views to President
About the Third Judge of the
Circuit Court.**

Governor Carter has withdrawn his support from Judge W. J. Robinson for a second term as Third Judge of the Circuit Court of the First Circuit.

Judge Robinson was among the latest of several very late callers on the Governor yesterday afternoon. After one more interview, given to W. O. Smith and J. P. Cooke, the Governor at about 5:40 hurried from his office, mentioning that he had a dinner engagement with no time to spare for keeping it.

Returning early in the evening, Governor Carter authorized the announcement that he had withdrawn his support from Judge Robinson's renomination. "I have decided upon this action," the Governor said, "owing to an incident that had occurred some little time ago which, it was fortunate, had not resulted in a greater loss of dignity for Judge Robinson's court."

Governor Carter added that he had cabled his withdrawal of support from Judge Robinson to Washington.

Judge Matthewman, of the Third Circuit, who arrived from Kailua last week, was closeted with the Governor a few minutes prior to Judge Robinson's interview.

THROWS DOWN THE GAUNTLET

**President Roosevelt, in a Special
Message, Courts Fullest Investi-
gation in Panama.**

(Associated Press Cablegrams.)

WASHINGTON, January 9.—President Roosevelt sent a message to Congress yesterday inviting scrutiny into the administration of the Panama Canal project.

He says in his message that the sensational charges which have been made of jobbery and immorality in connection with the matter are absolutely unfounded.

ANOTHER COAL CARGO AFIRE.

VALPARAISO, January 9.—The American ship Bangalore, Captain Blanchard, of 1560 tons, which sailed from Philadelphia on October eighth for Honolulu with coal consigned to H. Hackfeld & Co. Ltd., and was spoken November eleventh in 11 degrees south latitude, 34 degrees west longitude off Aracajo, Brazil, has arrived here with her cargo burning.

CHICAGO'S STUPENDOUS GRAFT.

CHICAGO, January 9.—The City Council has appointed a committee to investigate charges that graft to the extent of five million dollars of the city's money has been distributed during the past decade to contractors and officials.

LIBERTY TURNED TO LICENSE.

MOSCOW, January 9.—The relaxation of the former stringent regulations in force by the military has resulted in isolated murders of some of the soldiers.

THE MONROE DOCTRINE AGAIN.

WASHINGTON, January 9.—The trouble between France and President Castro of Venezuela is reaching a crisis.

MAYOR AGAIN TAKES OATH.

SAN FRANCISCO, January 9.—The Schmitz administration was installed here today.

AFTERNOON REPORT.

WASHINGTON, January 8.—The Supreme Court of the United States has decided the fisheries case of Joseph O. Carter and other trustees under the will of Bernice Pauahi Bishop, deceased, vs. the Territory of Hawaii, against the Territory. The decision reverses the decision of the Territorial Supreme Court. The "Fishery Cases" have been hanging in the local courts for nearly four years awaiting the decision in the above case. They will now all be tried and it will be necessary under the Organic Act for the Territory to then institute condemnation proceedings to recover the rights for the benefit of the citizens of the United States.

In a previous case involving S. M. Damon's rights, the United States Supreme Court held as it did yesterday, but the case decided yesterday is much more sweeping in its scope as the rights were not claimed under patent, but as ancient privileges which had become vested rights.

The cases which can now be tried are brought by the following plaintiffs: The Kapiolani Estate (two cases); J. O. Carter, et al., trustee (Bishop Estate) (seven more cases); Mary E. Foster, et al.; Henry Smith, trustee; Gustaf P. Roper, trustee (the Catholic church); Mark P. Robinson; Catherine Stewart; Nanie R. Rice; Oahu Railway & Land Co.; Bruce Cartwright, trustee (three cases); Queen Liliuokalani; Mary Lucas; John H. Estate, limited; Kaneohe Ranch Co.; Heeia Agricultural Co.; Domitila Paiko; J. M. Monsarrat; Samuel M. Damon; thirty-one cases in all, in the first circuit. Cases were also instituted in other circuits which have been likewise held up.

BOSTON, January 8.—Goodnow Company, brokers, have failed with liabilities of \$100,000.

LONDON, January 8.—The King has returned and signed the proclamation dissolving Parliament.

A GRAND JURY THAT DIDN'T WANT TO KNOW

Pearl City, January 6, 1906.
Editor Advertiser: In your editorial of this morning you complain of the conduct of the grand jury in re gambling cases. I do not kick, Mr. Editor; you are not the only one this said grand jury ignored. Complaints have repeatedly been made to the police department, both to the highest and lowest officials, about a certain place in this city and positive proofs of law-breaking placed in their hands, but no action was ever taken. As a last resort I put the whole thing in writing (offering the proofs) and signed with my name and placed it before the grand jury. I fully expected to be called on to substantiate the charges, but no notice was ever taken of the matter. I always thought the grand jury were supposed to investigate all complaints laid before that body, either to verify or refute them, but it appears I was mistaken.

G. J. McCARTY.